



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND

200 STOVALL STREET

ALEXANDRIA, VA 22332 2300

4200

Ser 111/96-74

29 MAR 96

From: Commander, Naval Facilities Engineering Command

SUBJ: POTENTIAL SUSPENSION/DEBARMENT ACTION POLICY (20-96)

Encl: (1) Invoice Certification (FAR 52.232-5)
(2) COMNAVFACENGCOM ltr Ser 111A/96-196 (71-95)

1. All Contracting Officers are reminded of the enclosure (1) policy letter. This letter is to clarify the actions that Contracting Officers SHALL TAKE if they have been notified of an allegation of fraud concerning non-payment of subcontractors by the prime contractor.

a. The Contracting Officer shall have an internal investigation performed of the allegation, or submit the allegation to an Investigatory Services.

b. If the agency that the Contracting Officer referred the case to is unable/unwilling to investigate the case, written notification must be forwarded to Code 11.

2. The information contained in enclosure (2), shall be provided during each preconstruction meeting. The Contracting Officer shall insure each contractor is informed of its responsibility for certification and the consequences of false certification.

3. Please advise all subordinate Contracting Officers of this requirement.

for Robert M. Timperley
WILLIAM C. TIMPERLEY
By direction

INVOICE CERTIFICATION

(FAR 52.232-5)

CONTRACTOR'S NAME: _____

ADDRESS: _____

CONTRACT NUMBER AND DESCRIPTION:

I hereby certify, to the best of my knowledge and belief, that:

(1) The amounts requested are only for performance in accordance with the specifications, terms and conditions of the contract;

(2) Payments to Subcontractors and suppliers have been made from previous payments received under this contract, and timely payments will be made from the proceeds of the payment covered by this certification in accordance with subcontract agreements and the requirements of chapter 39 of title 31, United States code; and;

(3) This request for progress payment does not include any amounts which the prime contractor intends to withhold from a subcontractor or supplier in accordance with the terms and conditions of the subcontract.

(Signature)

(Typed Name)

(Date)

THIS CERTIFICATION APPLIES TO ALL CONTRACTS AWARDED ON OR AFTER 01 APRIL
1989 INVOICE CERTIFICATION

Enclosure ()



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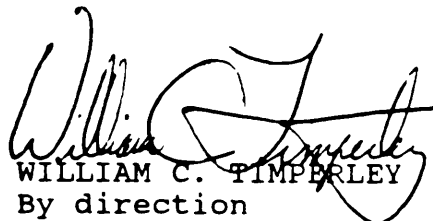
16 OCT 95

From: Commander, Naval Facilities Engineering Command

Subj: POTENTIAL SUSPENSION/DEBARMENT ACTIONS (71-95)

1. All contracting officers are reminded that reports are **REQUIRED** in accordance with DFAR 209.406-3 for each instance where a contractor has committed or is suspected of having committed any of the acts described in FAR 9.406-2 and 9.407-3. The contracting officer must file a report even if it is recommended that the contractor not be debarred or suspended. The decision to debar or suspend is not a decision within the preview of the contracting officer. The lack of evidence, age of the case, the financial status of the company (bankruptcy) or an assessment by the U.S. Attorney ^{that} there is insufficient evidence to prosecute are not valid reasons negating the requirement to report.

2. Please advise all subordinate contracting officers of this requirement.


WILLIAM C. TIMPERLEY
By direction

Distribution:

COMPACNAVFACENGCOM (00, 02)
COMLANTNAVFACENGCOM (00, 02)
CO NORTHNAVFACENGCOM (00, 02)
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CO SOUTHWESTNAVFACENGCOM (00, 02)
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CO PWC GREAT LAKES (00, 200)
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CO PWC SAN DIEGO (00, 200)
CO PWC SAN FRANCISCO (00, 200)
CO PWC YOKOSUKA (00, 200)
CO PWC JACKSONVILLE (00, 200)
CO PWC WASHINGTON (00, 200)
PMR TEAM
CO, CIVIL ENGINEER CORPS OFFICERS SCHOOL
NAVAL FACILITIES CONTRACTS TRAINING CENTER
NAVAL FACILITIES CONTRACT OFFICE, PORT HUENEME (27)